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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
90/005,744	06/13/2000	5706621	TPP 30880	8787

7590 09/20/2004

Benton S Duffett Jr Esquire
Burns Doane Swecker and Mathis LLP
P O Box 1404
Alexandria, VA 22314-1404

EXAMINER

ART UNIT PAPER NUMBER

DATE MAILED: 09/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Response to Amendment

The reply filed on 7/02/04 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s):

As stated in the Official Action dated 6/01/04, in re-exam/re-issue merger cases, amendments submitted are directed to or should respond to the original patent disclosure and claims. First, all deletions should be bracketed "[]" and all additions should be underlined "_". Secondly, the amendments have to be submitted on a paragraph-by-paragraph basis (i.e. page 2, paragraph 3). Third, if no changes are being made to the claims, do not list the claims again. Fourth, all newly submitted claims must be totally underlined "_". Lastly, any and all changes made to the specification or claims must be accompanied with a showing of detailed support from the specification (i.e. page 4, lines 21-27). See 37 CFR 1.173 (c)(1) and 1.173 (d).

Originally, there were 23 claims. Pre-amendment dated 6/30/99 added claims 24-40. Although claims 24-40 were previously presented, the applicant has underlined "-" these claims in his response dated 7/02/04. This is not correct. Underlining "-" indicates additions being made to a claim or indicates that a totally new claim is being submitted for consideration. Since these claims were previously considered, unless there are any changes being made to these claims, claims 24-40 ***should not*** be underlined.

Also, in claim 35, it is not clear if the applicant intends to delete or add the portion "24...factory.", which was both bracketed "[]" and underlined "-". Clarification and

correction are required. Refer to the aforementioned instructions for deletions and additions.

The applicant was advised that two copies of each document was to be submitted to the Office. However, the response dated 7/02/04 had only one response submitted herewith; wherein, the first two pages referenced application 09/343,696 and the remaining pages referenced application 90/005,744. As mentioned before, in order to avoid confusion within the Office, please submit **two separate** correspondences with 09/343,696 on one response and 90/005,744 on the other response and not both serial numbers on each response.

The applicant is further reminded that a Certificate of Service should also accompany the responses to both 09/343,696 and 90/005,744.

Conclusion

The period for response continues to run one (1) month or thirty (30) days from the mailing date of the 6/24/04 Notice Of Non-responsive Amendment.

This application will become abandoned unless applicant corrects the deficiency and obtains an extension of time under 37 CFR 1.136(a).

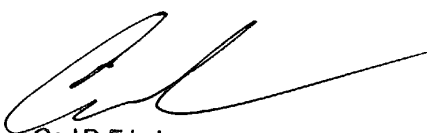
The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. In no case may an applicant reply outside the SIX (6) MONTH statutory period or obtain an extension for more than FIVE (5) MONTHS beyond the date for reply set forth in an Office action. A fully responsive reply must be timely filed to avoid abandonment of this application.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yvonne M. Horton whose telephone number is (703) 308-1909. The examiner can normally be reached on 6:30 am - 3:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl D. Friedman can be reached on (703) 308-0839. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

YMH
September 15, 2004


Carl D. Friedman
Supervisory Patent Examiner
Group 3600